

DAC/DPW

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)		Docket Number (Optional) 898-P-6
First named inventor: AARON C. MANSFIELD		
Application No.: 10/825,772		Art Unit: 3617
Filed: APRIL 15, 2004		Examiner: A. VASUDEVA
Title: MARINE STERN DRIVE & MULTI-SPEED TRANSMISSION PROPULSION SYSTEM		
Attention: Office of Petitions Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 FAX (571) 273-8300		
NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.		
The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the office notice or action plus an extensions of time actually obtained.		
APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION		
NOTE: A grantable petition requires the following items: (1) Petition fee; (2) Reply and/or issue fee; (3) Terminal disclaimer with disclaimer fee - required for all utility and plant applications filed before June 8, 1995; and for all design applications; and (4) Statement that the entire delay was unintentional.		
1. Petition fee <input checked="" type="checkbox"/> Small entity-fee \$ <u>750.00</u> (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27. <input type="checkbox"/> Other than small entity - fee \$ _____ (37 CFR 1.17(m))		
2. Reply and/or fee A. The reply and/or fee to the above-noted Office action in the form of <u>Response to an Office Action</u> (identify type of reply): <input checked="" type="checkbox"/> has been filed previously on <u>May 1, 2006</u> . <input type="checkbox"/> is enclosed herewith. B. The issue fee and publication fee (if applicable) of \$ <u>01 FC+2453</u> <input type="checkbox"/> has been paid previously on _____ <input type="checkbox"/> is enclosed herewith.		

06/06/2006 HNGUYEN1 00000105 10025772

750.00 OP

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

3. Terminal disclaimer with disclaimer fee

☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D)).]

WARNING:

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.



Signature

Gregory J. Nelson

Typed or printed name

NELSON & ROEDIGER

Address

3333 E. Camelback Road, Suite 212, Phoenix, AZ 85018

Address

6/1/2006

Date

22,066

Registration Number, if applicable

602.263.8782

Telephone Number

Enclosures: ☐ Fee Payment

☐ Reply

☐ Terminal Disclaimer Form

☐ Additional sheets containing statements establishing unintentional delay

☒ Other: Copy of Response filed May 1, 2006

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

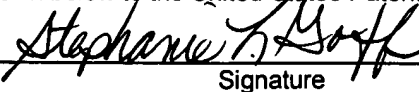
I hereby certify that this correspondence is being:

☒ Deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

☐ Transmitted by facsimile on the date shown below to the United States Patent and Trademark Office as (571) 273-8300.

6/1/2006

Date



Signature

Stephanie L. Goff

Typed or printed name of person signing certificate



IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE

PATENT

Applicants: AARON C. MANSFIELD and JASON A. MANSFIELD)
Serial No.: 10/825,772)
Filing Date: APRIL 15, 2004)
Title: "Marine Stern Drive & Multi-Speed)
Transmission Propulsion System")

Attention: Office of Petitions
MAIL STOP PETITION
Commissioner For Patents
P.O. BOX 1450
Alexandria, VA 22313-1450

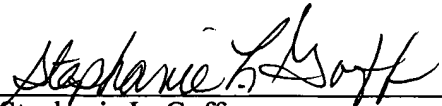
CERTIFICATE OF MAILING

Date of Deposit: June 1, 2006

I hereby certify that the following attached paper(s) and/or fee:

1. Petition for Revival of an Application for Patent Abandoned Unintentionally Under 37 C.F.R. §1.137(b) (2 pgs.);
2. Petition Fee check \$750.00;
3. Copy of Response & Amendment filed May 1, 2006; and
4. Return Postcard,

along with this certificate of mailing is being and deposited with the United States Postal Service regular, first class mail on the date indicated above and is addressed to Attention Office of Petitions, MAIL STOP PETITION, Commissioner For Patents, P.O. BOX 1450, Alexandria, VA 22313-1450.


Stephanie L. Goff,
Legal Assistant to Gregory J. Nelson
NELSON & ROEDIGER
3333 E. Camelback Road, Suite 212
Phoenix, Arizona 85018
(602) 263-8782

GREGORY J. NELSON
ATTORNEY AT LAW
3333 E. CAMELBACK ROAD, SUITE 212
PHOENIX, AZ 85018

COPY

DATE 04/27/2006

11618

91-527/1221 3886
6001101740

PAY
TO THE ORDER OF COMMISSIONER FOR PATENTS

\$ 60.00

Sixty & no/100-----DOLLARS



Wells Fargo Bank, N.A.
Arizona
wellsfargo.com

FOR SN 10/825,772; Mansfield, et al

⑈0000011618⑈ ⑆122105278⑆ 6001101740⑈



Receipt of the following in the office of Patents is acknowledged:

RE: MANSFIELD, Aaron C., et al, SN 10/825,772
'Marine Stern Drive & Multi-Speed Transmission
Propulsion System'
Petition for Extension of Time; Response &
Amendment (3 pgs.); Petition Extension Fee check
\$60.00; Certificate of Mailing of Legal Asst.
GJN/slg 898-P-6
DATED: _____

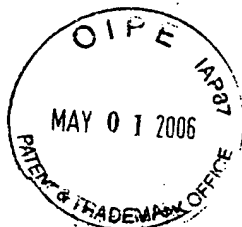
Receipt of the following in the office of Patents is acknowledged:

RE: MANSFIELD, Aaron C., et al, SN 10/825,772
'Marine Stern Drive & Multi-Speed Transmission
Propulsion System'
Petition for Extension of Time; Response &
Amendment (3 pgs.); Petition Extension Fee check
\$60.00; Certificate of Mailing of Legal Asst.
GJN/slg 898-P-6
DATED: _____

RECEIVED

MAY 05 2006

NELSON & ROEDIGER





Certificate of Mailing

I hereby certify that this document is being deposited with the United States Postal Service as First Class mail, postage prepaid, addressed to MAIL STOP NON FEE AMENDMENT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 this 27th day of APRIL, 2006.

Dated: 04/27/2006


Gregory J. Nelson

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

Applicants:	AARON C. MANSFIELD)	
	JASON A. MANSFIELD)	
)	Ex. A. VASUDEVA
Serial No.:	10/825,772)	A/U 3617
)	
Filing Date:	April 15, 2004)	
)	
Title:	"Marine Stern Drive & Multi-Speed)	
	Transmission Propulsion System")	

RESPONSE

MAIL STOP NON FEE AMENDMENT
Commissioner For Patents
P.O. BOX 1450
Alexandria, VA 22313-1450

Dear Sir:

This is in response to the Office Action originally dated October 7, 2005, and, subsequently sent *via* email to the undersigned attorney February 27, 2006.

Application SN: 10/825,772
Amendment Dated: April 27, 2006
Reply to Office Action of: February 27, 2006

In response to the restriction requirement, Applicants provisionally elect Claims 1-13 (Group I).

In response to the requirement to elect a single species, Applicants provisionally elect the species of Figure 3.

5 Claims 1, 2, 3, 4, 5, 6, 7, 8, 11, 12 and 13 are readable thereon (Group I).

Claims 14, 15, 16, 17, 18, 19, 20, 23 and 24 are also readable thereon (Group II).

10 The Applicants having made the provisional election of Group I (Claims 1 through 13) and the provisionally elected species of Figures 1 through 3 (Claims 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 and 24) do not waive any right to have each of the Claims 1 through 13 examined in the instant application if generic Claim 1 is found to be allowable. Nor do the Applicants waive any right to have any of Claims 1 through 13 or Claims 14 through 24 or other claims supported by the description examined in a subsequently filed continuation, divisional or similar application without any reduction in breadth or scope of the claims. Nor do Applicants waive the priority claim of benefit of prior U.S. provisional application SN 60/463,887 filed April 17, 2003, same title.

15

It is noted that the Office Action emailed on February 27, 2006, was apparently initially sent *via* U.S. Regular First Class Mail and dated October 7, 2005. The office of the undersigned attorney has carefully reviewed its files and no record of receiving the

Application SN: 10/825,772
Amendment Dated: April 27, 2006
Reply to Office Action of: February 27, 2006

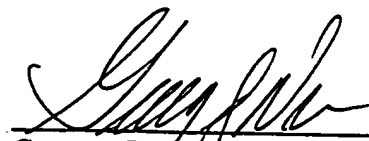
Office Action prior to receiving the email has been found. Office procedure is to daily log in and date stamp all mail from the U.S. Patent & Trademark Office. The response dates are noted in the office docket system, on the respective file jackets and on a weekly docket report.

5 The email from the Examiner on February 27, 2006, was a result of the undersigned calling the Examiner to determine the status of the application. When the Examiner was advised of non-receipt of the Office Action, the Examiner advised the attorney that the Office Action would be re-sent and that the response should include a statement, as set forth above, concerning non-receipt.

10 A petition for a one month extension and the requisite fee accompany this Response.

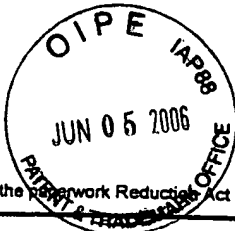
Respectfully submitted,

15 Dated: 04/27/2006



Gregory J. Nelson, Reg. No. 22,066
NELSON & ROEDIGER
Attorneys for Applicant
3333 E. Camelback Road, Suite 212
Phoenix, AZ 85018
(602) 263-8782

20



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Approved for use through 07/31/2006. OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a) FY 2005 <i>(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4318).)</i>		Docket Number (Optional) 898-P-6
Application Number 10/825,772		Filed 04/15/2004
For Marine Stern Drive & Multi-Speed Transmission Propulsion System		
Art Unit 3617		Examiner A. VASUDEVA

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

	Fee	Small Entity Fee	
<input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	\$ <u>60.00</u>
<input type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225	\$ _____
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510	\$ _____
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795	\$ _____
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080	\$ _____

☒ Applicant claims small entity status. See 37 CFR 1.27.

☒ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☐ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number _____. I have enclosed a duplicate copy of this sheet.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the ☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).

☒ attorney or agent of record. Registration Number 22,066

☐ attorney or agent under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34 _____

Gregory J. Nelson

Typed or printed name

04/27/2006
Date

602.263.8782

Telephone Number

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☐ Total of _____ forms are submitted.

This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.